

SENATE BILL 817

E4

7lr3188

By: **Cecil County Senators**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Agritourism – Permit Exemption**

3 FOR the purpose of adding Cecil County to the list of counties that exempt agricultural
4 buildings engaged in agritourism from a certain permit requirement; providing for
5 the number of people allowed to occupy a building engaged in agritourism in Cecil
6 County under certain circumstances; and generally relating to a permit exemption
7 for certain buildings engaged in agritourism.

8 BY repealing and reenacting, with amendments,

9 Article – Public Safety

10 Section 12–508

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2016 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 12–508.

17 (a) (1) In this section, “agricultural building” means a structure designed and
18 constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural
19 products.

20 (2) “Agricultural building” does not include a place of human residence.

21 (b) This section applies only to Calvert County, **CECIL COUNTY**, Charles County,
22 Dorchester County, Frederick County, Harford County, Prince George’s County, St. Mary’s
23 County, Somerset County, and Talbot County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) The Standards do not apply to the construction, alteration, or modification of
2 an agricultural building for which agritourism is an intended subordinate use.

3 (d) An existing agricultural building used for agritourism is not considered a
4 change of occupancy that requires a building permit if the subordinate use of agritourism:

5 (1) is in accordance with limitations set forth in regulations adopted by the
6 Department;

7 (2) occupies only levels of the building on which a ground level exit is
8 located; and

9 (3) **EXCEPT AS PROVIDED IN SUBSECTION (E)**, does not require more
10 than 50 people to occupy an individual building at any one time.

11 (e) **IN CECIL COUNTY, AN EXISTING AGRICULTURAL BUILDING USED FOR**
12 **AGRITOURISM IS NOT CONSIDERED A CHANGE OF OCCUPANCY THAT REQUIRES A**
13 **BUILDING PERMIT IF THE SUBORDINATE USE OF AGRITOURISM DOES NOT REQUIRE**
14 **MORE THAN 200 PEOPLE TO OCCUPY AN INDIVIDUAL BUILDING AT ANY ONE TIME.**

15 (F) An agricultural building used for agritourism:

16 (1) shall be structurally sound and in good repair; but

17 (2) need not comply with:

18 (i) requirements for bathrooms, sprinkler systems, and elevators set
19 forth in the Standards; or

20 (ii) any other requirements of the Standards or other building codes
21 as set forth in regulations adopted by the Department.

22 [(f)] (G) The Department shall adopt regulations to implement this section.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2017.